

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE: PHARMACEUTICAL INDUSTRY AVERAGE
WHOLESALE PRICE LITIGATION**

MDL No. 1456
C.A. No. 01-12257-PBS

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Judge Patti B. Saris

**TO: Agnes Swayze
c/o Steve W. Berman
Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142**

NOTICE TO ATTEND

1. You are directed to come to Courtroom 19 at the John Joseph Moakley Courthouse, 1 Courthouse Way Boston, Massachusetts on Monday, June 13, 2011 at 2:00 p.m., to give testimony on behalf of the undersigned at the Fairness Hearing on the proposed settlement with the Track 2 Defendants in this case, and to remain until excused.
2. If you are unable to attend the hearing in person, you are directed to make arrangements to have your testimony taken via telephone.
3. You are also directed to produce and to bring with you the following:
 - A. Copies of the Affidavits of Agnes Swayze dated May 30, 2011, April 7, 2011, February 12, 2011, and June 15, 2008 (Dkt. No. 5409-2).

B.All documents in your possession, custody or control relating to the aforesaid Affidavits, your work in this case, and your interactions with any of the counsel for the Class or the Defendants in this matter respecting the same.

C.All documents relating to your claimed purchases of drugs on any Defendant, including Anzemet, Dextrose, Dexamethsone Sodium Phosphate, Heparin sodium, Epogen and Neupogen as referenced in your Affidavits.

If you fail to appear and/or produce the documents or things required by this notice to attend and produce, you may be subject to the sanctions authorized by the Federal Rules of Civil Procedure, including having your testimony stricken and your application for appointment as a settlement class representative denied.

Dated: June 6, 2011 Respectfully submitted

/s/ Donald E. Haviland, Jr.
Donald E. Haviland, Jr., Esquire
Robert G. Hughes, Esquire
Michael J. Lorusso, Esquire
HAVILAND HUGHES, L.L.C.
111 S. Independence Mall East
The Bourse, Suite 1000
Philadelphia, PA 19106
Telephone: (215) 609-4661
Facsimile: (215) 392-4400

CERTIFICATE OF SERVICE

I, Donald E. Haviland, Jr., Esquire, hereby certify that on June 6, 2011, I served the foregoing Notice to Attend on all counsel of record via CM/ECF notification.

/s/ Donald E. Haviland, Jr.